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 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/942,936	08/31/2001	Brigitte Bathe	32301WD205

CONFIRMATION NO. 8955

## FORMALITIES LETTER



\*OC000000006570294\*

SMITH, GAMBRELL & RUSSELL, LLP  
 SUITE 800  
 1850 M STREET, N.W.  
 WASHINGTON, DC 20036



Date Mailed: 09/18/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/30/2001 DABIA001 00000097 09942936

01 700.00  
 02 520.00  
 03 520.00  
 04 520.00  
 05 520.00  
 06 520.00  
 07 520.00

740.00 0P      FILED UNDER 37 CFR 1.53(b)

130.00 0P  
 198.00 0P  
 160.00 0P

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$358.
  - \$198 for 11 total claims over 20.
  - \$160 for 2 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1198.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu

of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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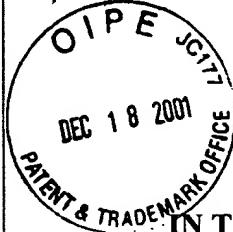
*A copy of this notice **MUST** be returned with the reply.*

*B/S*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Sector R #  
BOX 560

PATENT

Attorney Docket No. 32301WD205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
Brigitte BATHE, et al. )  
Serial No. : 09/942,936 )  
Filed: August 31, 2001 )  
For : NUCLEOTIDE SEQUENCES WHICH CODE FOR THE sigH GENE

Examiner: To Be Assigned

Group Art Unit: 1645

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL  
APPLICATION, FILED UNDER 37 C.F.R. 1.53(b)

Attn.: Box Missing Parts  
Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application mailed September 18, 2001, Applicants submit herewith the following documents relating to the above-captioned patent application:

- A copy of the Notice to File Missing Parts of Application;
- Executed Declaration and Power of Attorney;
- Assignment Recordation Cover Form attached w/ executed Assignment;
- Preliminary Amendment;
- Sequence Listing Submission Statement;
- Sequence Listing with computer-readable disk; and
- Petition for Extension of Time (1 month, large entity);
- Check for \$1,386.00.

U.S. Pat. App. No.: 09/942,936  
Atty. Docket No.: 32301WD205

The check in the amount of \$1,386.00 enclosed is to cover the following fees:

Basic Filing Fee:	\$ 740.00 (large entity)
Add'l Claim Fee:	\$ 198.00 (11 additional claims over 20)
Add'l Ind. Claim Fee:	\$ 168.00 (2 additional ind. claims over 3)
Surcharge:	\$ 130.00
Petition fee (1 month):	\$ 110.00
Recordation Fee:	\$ 40.00
<b>TOTAL:</b>	<b>\$1,386.00</b>

If any additional fees are due in connection with this filing, such as fees under 37 C.F.R. §§ 1.16 or 1.17, the Commissioner is authorized to charge the fees to SGR Deposit Account No. 02-4300; Order No. 032301.205. Similarly, please credit any overpayment to SGR Deposit Account No. 02-4300.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By: 

Robert G. Weilacher, Reg. No 20,531  
1850 M Street, N.W., Suite 800  
Washington, D.C. 20036  
Telephone: (202) 659-2811  
Facsimile: (202) 263-4329

Dated: December 18, 2001